

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

Civil Action No. 05-40071-FDS

CHRISTIAN SCHWENK
Plaintiff,

v.

AUBURN SPORTSPLEX, LLC,
DENNIS NATOLI, JOHN NATOLI,
AND PETER NATOLI,
Defendants

DEFENDANTS' RULE 16.1(D) STATEMENT

The Defendants hereby submit this Statement pursuant to Fed. R. Civ. P. 26.1 and Local Rule 16.1(d). The Defendants' counsel did not respond timely to Plaintiff's request to confer and has apologized to Plaintiff's counsel.

Discovery Plan

Defendants have no objection to the Discovery Plan proposed by the Plaintiff.

Other Matters

The only other matter that may require the Court's attention at the conference is whether this Court has jurisdiction.

Auburn Sportsplex, LLC
Dennis Natoli, John Natoli,
and Peter Natoli
by their attorneys,



William J. Ritter, Esquire
BBO #552397
Natañia M. Davis, Esquire
BBO # 651838
Pojani Hurley Ritter & Salvidio, LLP
446 Main Street
Worcester, MA 01608
Phone: 508.798.2480

FROM :

10/12/05 14:08 FAX 5087879561



FAX NO. :

POJANI HURLEY RITTER & S

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CERTIFICATION

Pursuant to Local Rule 16.1(D)(3), the Defendants, Auburn Sportsplex, LLC, Dennis Natoli, John Natoli, and Peter Natoli, and the undersigned counsel, hereby certify that we have conferred with a view to establishing a budget for the costs of conducting the full course and various alternative courses of the litigation; and to consider the resolution of the litigation through the use of alternative dispute resolution.


Dennis Natoli
Peter Natoli
John Natoli

Auburn Sportsplex, LLC

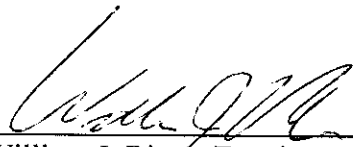

By: Peter Natoli, Manager
William J. Ritter, Esquire

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2005, I served a copy of the within Defendants Rule 16.1(d) Statement by mailing same postage prepaid upon:

Paul E. Linet, Esquire
Law Offices of Paul E. Linet, P.C.
PO Box 533
Acton, MA 01720

Douglas L. Fox, Esquire
Shumway, Giguere & Fox, P.C.
19 Cedar Street
Worcester, MA 01609



William J. Ritter, Esquire
Natañia M. Davis, Esquire

Dated: 10/13/05